

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Leon Henry Carter, III

Civil 09-16 JMR/FLN

Plaintiff,

v.

O R D E R

CWF Solutions, LLC, Mark Novak,
State of Minnesota, Department of
Corrections, and Minnesota
Correctional Facility Stillwater,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by
United States Magistrate Judge Franklin L. Noel dated January 14, 2009, all the files
and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's claims against Defendants State of Minnesota, Department of Corrections, and Minnesota Correctional Facility Stillwater, are dismissed pursuant to 28 U.S.C. § 1915A(b); and
2. Plaintiff's claims against the remaining Defendants in this case are allowed to proceed at this time, without prejudice to any defenses that those Defendants may later seek to raise.

DATED: February 27, 2009.
at Minneapolis, Minnesota

s/James M. Rosenbaum
JUDGE JAMES M. ROSENBAUM
United States District Court